

Kentucky Fish and Wildlife Commission Meeting
REQUEST FOR COMMISSION ACTION
August 21, 2015

Division: Administrative Services

Regulation Number: 301 KAR 2:030 **Regular or Emergency:** Regular

Proposed Recommendation: Proposal to Amend Commercial Guide and
Commercial Hunting Guide Helper Licenses

1. License Year – Change commercial guide license expiration to match current hunting license expiration date. Guide license year will be March 1st through last day of February.
Justification: Commercial guide licenses currently expire December 31st each year which falls within many of the hunting seasons. Commercial guides have expressed a desire to have the license expire the last day of February which is consistent with our current license year.
2. Add Disqualifying and Revocation Criteria – Add disqualifying and revocation criteria preventing individuals with a felony conviction from having or receiving a commercial guide license.
Justification: Current regulation disqualifies those convicted of a fish and game violation during the previous 3 years but does not address convicted felons. Revocation of the commercial guide license should also mirror the disqualifying criteria. A felony conviction during the current license year should result in revocation.
3. Hunting Guide Helper Requirements – Amend regulation to require hunting guide helpers to meet the same qualifying criteria as a licensed commercial guide.
Justification: The hunting guide helper works beyond the direct supervision of the licensed guide (unlike fishing guide helper). Some commercial guides hire numerous helpers to ensure the success of their business. Many times these helpers spend a considerable amount of time alone with clients.
4. Hunting Guide Helper Fee – Charge a nominal administration fee for hunting guide helpers.
Justification: Verifying that the commercial hunting guide helper meets the required criteria and producing some type of proof for them to carry while in the field (copy of Guide's License or a helper's card) will increase administration costs to process a commercial guide license. This fee would offset that cost.

Effective: 2016 License Year

Action Requested of Commission:	Action Taken by Commission:
<input type="checkbox"/> File the Regulation	<input type="checkbox"/> File the Regulation
<input checked="" type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
_____	_____
_____	_____

Motion made by: _____

Motion Seconded by: _____

Action: Approved Denied Referred back to Committee

Note: Subsequent to the Committee Meetings on July 10, 2015, the Department received licensee input regarding the current three-year revocation period for persons convicted of a fish and wildlife violation. The input suggested that a three-year period is excessive for a minor fish and wildlife violation. Since that time, the Department reviewed other commercial licenses and permits to examine the fair and equitable treatment of revocations and denials.

Currently, Department regulations pertaining to commercial permit revocations are inconsistent. The Department recommends aligning all the revocation durations for commercial permits in order to be fair and consistent. The Commercial Nuisance Wildlife Control Permit revocation is currently for a period of one year; the Commercial Fishing Permit revocation is currently for two years; and for the Commercial Guide license the revocation is for a three-year period. The Department recommends amending the Commercial Guide regulation so that it is consistent with the Commercial Nuisance Wildlife Control regulation (a one-year period). Furthermore, when the Commercial Fishing regulation is opened next, the Department also recommends reducing it to a one-year period.